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16 Attorneys for WAYMO LLC

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

19 20 21 22 23 24 25 26 27 28	<p>WAYMO LLC, Plaintiff, vs. UBER TECHNOLOGIES, INC.; OTTOMOTTO LLC; OTTO TRUCKING LLC, Defendants.</p> <p>CASE NO. 3:17-cv-00939-WHA</p> <p><b>DECLARATION OF JAMES BAKER IN SUPPORT OF PLAINTIFF WAYMO LLC'S MOTION FOR SANCTIONS</b></p>
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1 I, James Baker, hereby declare as follows:

2 1. I am a member of the bar of the State of New York and a partner with Quinn  
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC (“Waymo”). I make this  
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and  
5 would testify competently as follows.

6 2. Plaintiff has moved for sanctions against Defendants for their knowing and  
7 intentional violation of the Protective Order governing discovery in this case (Dkt. 60) and this  
8 Court’s specific order (the “Sealing Order”) requiring redaction of the domain name of Waymo’s  
9 subversion (or “SVN”) server (Dkt. 1444).

10 3. Attached as Exhibit A is a true and correct copy of the Protective Order governing  
11 discovery in this case.

12 4. Attached as Exhibit B is a true and correct copy of a September 1 email chain  
13 exchanged among counsel for Waymo and counsel for Defendants.

14 5. Attached as Exhibit C is a true and correct copy of the attachment to the 12:09pm  
15 email from Arturo Gonzalez that is part of the email chain attached hereto as Exhibit B.

16 6. Attached as Exhibit D is a true and correct copy of the attachment to the 1:03pm  
17 email from James Baker that is part of the email chain attached hereto as Exhibit B.

18 7. Attached as Exhibit E is a true and correct copy of the attachment to the 1:33pm  
19 email from Arturo Gonzalez that is part of the email chain attached hereto as Exhibit B.

20 8. Attached as Exhibit F is a true and correct copy of portions of the transcript from  
21 the September 6 deposition of Sasha Zbrozek.

22 9. Attached as Exhibit G is a true and correct copy of portions of the transcript from  
23 the September 6 deposition of Gary Brown.

24 10. Attached as Exhibit H is a true and correct copy of portions of the transcript from  
25 the September 27 deposition of Bruce Hartley.

26 11. Attached as Exhibit I is a true and correct copy of a September 27 email chain  
27 exchanged among counsel for Waymo and counsel for Defendants.

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12. Attached as Exhibit J is a true and correct copy of a September 29 email chain exchanged among counsel for Waymo and counsel for Defendants.

13. Attached as Exhibit K is a true and correct copy of a August 28 email chain exchanged among counsel for Waymo and counsel for Defendants.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: October 1, 2017

*/s James Baker*

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James Baker

## SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from James Baker.

/s/ Charles K. Verhoeven  
Charles K. Verhoeven